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8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA  
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11 ) NO. \_\_\_\_\_  
12 )  
13 ) **ORDER: Preparation for JURY TRIAL**  
14 ) 1. Establishing a Discovery  
Plaintiff(s), ) Cutoff date of \_\_\_\_\_  
15 v. )  
16 ) 2. Establishing a Motion  
17 ) Cutoff date of \_\_\_\_\_  
18 Defendant(s). ) 3. Setting the Pretrial  
19 ) Conference date for \_\_\_\_\_ 1:30 PM.  
20 ) 4. Setting the JURY TRIAL  
\_\_\_\_\_ ) date of \_\_\_\_\_ 9 AM.

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22 **DISCOVERY CUT-OFF:**

23 The Court has established a cutoff date for discovery in this action. All discovery is  
24 to be completed on, or prior to, the cutoff date. Accordingly, the following discovery  
25 schedule shall apply in this Court:

26 1. Depositions: All depositions shall be scheduled to commence at least five (5)  
27 working days prior to the discovery cutoff date. A deposition which has commenced five  
28 (5) days prior to the discovery cutoff date may continue beyond the cutoff date, as is

1 necessary.

2 2. Interrogatories: All interrogatories must be served at least forty-five (45) days  
3 prior to the discovery cutoff date. The Court will not approve stipulations between counsel  
4 which permit responses to be served after the cutoff date except in unusual circumstances  
5 and upon a showing of good cause.

6 3. Production of Documents etc.: All requests for production etc., shall be served at  
7 least forty-five (45) days prior to the discovery cutoff date. The Court will not approve  
8 stipulations between counsel which permit responses to be served after the cutoff date except  
9 in unusual circumstances and upon a showing of good cause.

10 4. Requests for Admissions: All requests for admissions shall be served at least  
11 forty-five (45) days prior to the discovery cutoff date. The court will not approve  
12 stipulations between counsel which permit responses to be served after the cutoff date except  
13 in unusual circumstances and upon a showing of good cause.

14 5. Discovery Motions: Any motion respecting the inadequacy of responses to  
15 discovery must be filed and served no later than ten (10) days after the discovery cutoff date.  
16 The Court requires strict compliance with the requirements of Local Rule 7.15 in the  
17 preparation and filing of discovery motions. Whenever possible, the Court expects counsel  
18 to resolve discovery problems among themselves in a courteous, reasonable, and professional  
19 manner. Repeated resort to the Court for guidance in discovery is generally unnecessary.

20 **PRETRIAL CONFERENCE:**

21 This case has been placed on calendar for a Pretrial Conference pursuant to Federal  
22 Rule of Civil Procedure 16 and Local Rule 9. Unless excused for good cause, each party  
23 appearing in this action shall be represented at the Pretrial Conference, and all pretrial  
24 meetings of counsel, by the attorney who is to have charge of the conduct of the trial on  
25 behalf of such party.

26 **STRICT COMPLIANCE WITH THE REQUIREMENT OF LOCAL RULE 9**  
27 **IS REQUIRED BY THE COURT.** Therefore, carefully prepared Memoranda of  
28 Contentions of Fact and Law, Witness List, Exhibit List, and a proposed Pretrial Conference

1 Order shall be submitted in accordance with the provisions of Local Rules 9.5 through 9.8  
2 and the form of the proposed Pretrial Conference Order shall be in conformity with the  
3 format set forth in the Appendix A to Local Rules, Pretrial Form No. 1.

4 The Memoranda of Contentions of Fact and Law are due twenty-one (21) days before  
5 the Pretrial Conference and the proposed Pretrial Conference Order is to be lodged seven (7)  
6 days before the Pretrial Conference.

7 **TRIAL PREPARATION FOR JURY TRIAL - INSTRUCTIONS AND EXHIBITS:**

8 **THE COURT ORDERS** that counsel comply with the following in their preparation  
9 for trial.

10 Thirty-five (35) days before trial, plaintiff shall serve his proposed jury instructions  
11 on defendant. Twenty-eight (28) days before trial defendant shall serve on plaintiff, his  
12 objections to plaintiff's instructions together with an additional instructions defendant intends  
13 to offer. Twenty-one (21) days before trial, counsel are ordered to meet and confer to  
14 attempt to come to an agreement on the proposed jury instructions.

15 Fourteen (14) days before trial counsel shall file with the Court a JOINT set of jury  
16 instructions on which there is agreement. Defendant's counsel has the burden of preparing  
17 the joint set of jury instructions. At the same time, each party shall file its proposed jury  
18 instructions which are objected to by any other party, accompanied by points and authorities  
19 in support of those instructions.

20 Seven (7) days before trial counsel are to file points and authorities supporting their  
21 objections to any other parties' proposed jury instructions.

22 The Court prefers the use of the Ninth Circuit Manual of Model Jury Instructions as  
23 modified or supplemented to fit the circumstances of this case. Each requested instruction  
24 shall be set forth in full; be on a separate page; be numbered; cover only one subject of  
25 principle of law; not repeat principles of law contained in any other requested instructions;  
26 and cite the authority for a source of the requested instruction.

27 During the trial and before argument, the Court will meet with counsel and settle the  
28 instructions plus any others deemed warranted by unexpected developments during the

1 course of trial.

2       **PREPARATION OF EXHIBITS FOR TRIAL:** All exhibits are to be numbered  
3 in accordance with Local Rule 8. Original exhibits shall be marked by official exhibit tags,  
4 fully completed to include the case number, exhibit number, and case name, to be placed on  
5 the exhibit. Counsel are to provide a Bench Copy of the exhibits, which may be presented  
6 in a three-ring binder. If Bench copies are to be presented in this fashion, ALL exhibits  
7 contained in the binder MUST be three hole punched with the **LARGER 13/32" hole size**  
8 **NOT THE STANDARD 9/32" three hole punch size.** Any bench exhibits, presented in  
9 a three-ring binder, which do not comply with this provision, shall be immediately returned  
10 to counsel. Bench copies may be tabbed down the side with the corresponding exhibit  
11 number and shall contain a list of each exhibit included in the binder/volume. Counsel shall  
12 also provide the Clerk, at the start of trial, with three (3) copies of the Exhibit List and three  
13 (3) copies of the Witness List.

14       All counsel are to meet no later than ten (10) days before trial and to stipulate as far  
15 as is possible as to foundation, waiver of the best evidence rule, and to those exhibits that  
16 may be received into evidence at the start of trial. The exhibits to be received will be noted  
17 on the extra copies of the exhibit lists.

18       IT IS SO ORDERED.

19       DATED \_\_\_\_\_.

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22 LAUGHLIN E. WATERS  
23 Senior United States District Judge  
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